

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: INNOCENTI, Carlo, et al

SERIAL NO.: 10/599,491

ART UNIT: 2854

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EXAMINER: Colilla, D. J.

TITLE: THERMAL TRANSFER PRINTER/LABELLER SPECIFICALLY DESIGNED FOR CASSETTES OR READY-TO-USE PACKAGES

Amendment C: REMARKS

Upon entry of the present amendments, previous Claim 5 has been canceled and new Claim 6 substituted therefor. Reconsideration of the rejections, in light of the forgoing amendments and present remarks, is respectfully requested. The present amendments have been entered for the purpose of clarifying the previous claim language and for the purpose of more clearly distinguishing the present invention from the prior art.

In the Office Action, Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the Nagasaki patent in view of the Oshino patent and the Yamaguchi publication. The drawings were objected to as failing to show the "enclosing structure". The claims were objected to because of the various informalities. Additionally, the Examiner has indicated that the structure indicated with the reference "1" is not "enclosing structure" but a base.

As an overview to the present reply, Applicant has revised previous Claim 5 in the form of new Claim 6. In particular, Applicant's attorney appreciates the Examiner's thorough analysis with respect to the "enclosing structure". Upon a further review of the disclosure of the present invention, it appears that the term "base" is accurate and that there is no "enclosing structure" disclosed in the drawings. Apparently, the illustrations created a bit of an optical illusion. As such, Applicant has

included in independent Claim 6 the term "base" instead of the previous phrase "enclosing structure". The thermal printhead, the first cassette, the second cassette and the other components are now recited as being positioned on the "base".

In independent Claim 6, the terms "first hole" and "second hole" have been revised so as to reflect the true structure of the present invention. As illustrated in the Figures associated with the original application, there is no "first hole" or "second hole", but rather "shaft" or a "driving member" that extends outwardly of the respective spools. As such, it is now indicated that the first cassette has a "first driving member" that corresponds to a spool of printing ribbon and "extends outwardly of the first cassette". There is also identified a "second driving member" that corresponds to the spool of printing ribbon "and extends outwardly of the second cassette". The term "first driving shaft" has been removed. It is indicated that the first and second driving members are "suitable for receiving a driving force applied thereto". The second cassette is identified as having a "third driving member" and a "fourth driving member". The "third driving member" is identified as being cooperative with the spool of the ribbon medium and "extending outwardly" of the second cassette. The second cassette is further identified as having the fourth driving member cooperative with the take-up core and "extending outwardly therefrom". Independent Claim 6 indicates that the third and fourth driving members are suitable for receiving a driving force applied thereto. Applicant believes that this structure more accurately recites the nature of the present invention and further serves to distinguish the present invention from the prior art. Applicant's attorney apologizes for any confusion that may have been caused by the previous claim. Applicant's attorney believes that the language contained in the independent Claim 6 better reflects that language which was indicated as being allowable by the Examiner in the previous Official Action.

Relative to the prior art rejections, Applicant respectfully contends that the Nagasaki patent discloses a printer that is incorporated into a electronic camera. This is not a "thermal printer" and, as such, would not have the "thermal printhead". Additionally, in the Nagasaki patent, there is no second cassette that can be positioned on the base. The Nagasaki patent shows a single tape cassette that is placed within the camera. Only a single cassette is disclosed and not separate "first cassette" and "second cassette". Quite clearly, in the illustrations of the Nagasaki patent, there are no first, second, third or fourth driving members that extend outwardly of the respective first and second cassettes. Quite clearly, in the nature of an electronic camera, it would not be suitable to have drive shafts extending outwardly of the camera housing so as to allow a driving force to be applied to these driving shafts.

Although the Nagasaki patent does disclose a printhead, it does not show a "thermal printhead" nor a "printhead adjustment arm". Applicant respectfully contends that the structure of the Nagasaki patent could not be applied in the thermal printing process associated with the present invention. The structure of the Nagasaki patent is quite different that the structure of the present invention, as defined in independent Claim 6.

The Oshino patent does disclose a thermal printer. As such, the Oshino patent will have a structure that is reminiscent of the present invention. However, in the Oshino patent, there are no separate first cassettes or second cassettes. It appears that the spool of printing ribbon 11 and the take-up core 12 in the Oshino patent are not connected in the form of a "first cassette". Figure 6 of the Oshino patent shows the ribbon medium wound around a core 6. Importantly, each of the cores 6, 11 and 12 are secured to the main frame 13. This recited in the Oshino patent in column 5, lines 56 - 60, as follows:

The supply shaft 6, the ribbon supply core 11 and the winding ribbon core 12 are respectively attached to the main frame 13 as evident from FIG. 6. The thermal head 1 and the platen roller 2 are respectively attached to a front frame 14' in the same manner as the first embodiment.

Quite clearly, there is no take-up core associated with the ribbon medium. In the Oshino patent, the ribbon medium is simply pass through the rollers and outwardly of the frame. In contrast, the ribbon medium 9 and the take-up core 13 are secured within the second cassette so as to pass in a thermal transfer manner with the spool of printing ribbon.

Quite clearly, since the Oshino patent is not directed to cassettes as applied to a base, the Oshino patent would lack the first, second, third and fourth driving members. There does not appear to be a "printhead adjustment arm" integrally connected to the thermal printhead and suitable for adjustably moving the thermal printhead in relation to the base. Also, although a pair of rollers 7 and 8 are disclosed in the Oshino patent, this would not comprise "a series of idler rollers" as claimed in independent Claim 6. On this basis, Applicant respectfully contends that the Oshino patent fails to show the structure of the present invention, as defined by independent Claim 6.

The Yamaguchi publication lacks the first and second cassettes. The Yamaguchi publication also appears to lack the first, second, third and fourth driving members that extend outwardly of the respective first and second cassettes. The Yamaguchi publication does not show a "printhead adjustment arm". Additionally, the Yamaguchi publication lacks the "rubber-coated drive roller" that is positioned "adjacent" the thermal printhead. On this basis, Applicant respectfully contends that the Yamaguchi publication fails to show the structure, individually, or in combination with the Nagasaki and Oshino patents.

The prior art combination lacks the arrangement of "first cassette" and "second cassette" as

defined by independent Claim 6. The prior art combination does not show the first, second, third and fourth driving members that extend outwardly of the respective first and second cassettes. The prior art combination fails to show the "printhead adjustment arm" as integrally connected to the thermal printhead and suitable for adjustably moving the thermal printhead in relation to the base. Additionally, the prior art patents fail to show the "series of idler rollers". On this basis, Applicant respectfully contends that the prior art combination fails to show the structure of the present invention as defined by independent Claim 6.

Based upon the foregoing analysis, Applicant contends that independent Claim 6 is now in proper condition for allowance. Additionally, those claims which are dependent upon independent Claim 6 should also be in condition for allowance. Reconsideration of the rejections and allowance of the claims at an early date is earnestly solicited. Since no new claims have been added above those originally paid for, no additional fee is required.

Respectfully submitted,

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